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10 Proposed Attorneys for Mowbray Waterman
11 Property, LLC

12 **UNITED STATES BANKRUPTCY COURT**

13 **CENTRAL DISTRICT OF CALIFORNIA – SANTA AN DIVISION**

14 In re

15 MOWBRAY WATERMAN PROPERTY,
16 LLC,

17 Debtor and Debtor-in-
18 Possession.

Case No. 8:25-bk-10542-TA

**NOTICE OF DEBTOR’S APPLICATION
TO EMPLOY LEE & ASSOCIATES
WALNUT CREEK COMMERCIAL REAL
ESTATE SERVICES, INC., AND LEE &
ASSOCIATES COMMERCIAL REAL
ESTATE SERVICES, INC. – RIVERSIDE
AS REAL ESTATE BROKERS**

[No Hearing Required Pursuant to Local
Bankruptcy Rules 2014-1(b)(1) and 9013-1(o)]

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TO ALL PARTIES IN INTEREST:

PLEASE TAKE NOTICE that Mowbray Waterman Property, LLC (the “Debtor”), the debtor and debtor-in-possession in the above captioned Chapter 11 case, has filed an Application to Employ Lee & Associates Walnut Creek Commercial Real Estate Services, Inc., and Lee & Associates Commercial Real Estate Services, Inc. – Riverside as Real Estate Brokers (the “Application”) pursuant to 11 U.S.C. §§ 327 and 328. The Debtor is requesting that the Court grant the Application without a hearing as provided in Local Bankruptcy Rules 2014-1(b)(4) and 9013-1(o), unless a party in interest timely files and serves a written opposition to the Application and requests a hearing. The Application is summarized as follows:

1. On February 19, 2025 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Chapter 11 of the Bankruptcy Code.

2. The Debtor owns five real properties in California. The Debtor seeks to employ Lee & Associates Commercial Real Estate Services, Inc.- Riverside (“L&A Riverside”), to market and sell, subject to Bankruptcy Court approval, its property located at 386 Allen St., San Bernardino, CA (“Allen St.”) and Lee & Associates Walnut Creek Commercial Real Estate Services, Inc. (“L&A WC”), to market and sell, subject to Bankruptcy Court approval, its property located at 9546 Elder Creek Rd., Sacramento, California, 95829-9306 (“Elder Creek”). The term “Brokers” as used herein refers collectively to L&A Riverside and L&A WC, and “Licensed Agents” refers collectively to the real estate agents at the Brokers – Les Copelin, Cody Moran and Michael Walker.

3. The listing and marketing of the properties by the reputable Brokers by and through their well-qualified Licensed Agents will assist in maximizing the value of the properties for the benefit of the creditors of the Debtor’s estate. The sale of any of the estate’s properties will be conducted pursuant to the bidding procedures set forth in a bidding procedures motion to be proposed by the Debtor.

4. The terms of L&A Riverside’s engagement to sell Allen St. is set forth in the Exclusive Authorization to Sell, dated February 25, 2025 (the “Allen St. Listing Agreement”) attached to the Application as Exhibit “1.” Pursuant to the Allen St. Listing Agreement, L&A

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1 Riverside has the exclusive right to sell Allen St. through August 25, 2025 (though the Debtor
2 intends to sell Allen St. well in advance of that date). Les Copelin and Cody Moran will be the
3 Licensed Agents marketing and selling Allen St., which will be offered for sale with a listing price
4 of \$2,350,000. L&A Riverside's total commission will be 6.00% of the gross sale price.

5 5. The terms of L&A WC's engagement to sell Elder Creek in is set forth in the
6 Exclusive Authorization to Sell, dated March 13, 2025 (the "Elder Creek Listing Agreement," and
7 together with the Allen St. Listing Agreement, collectively the "Listing Agreements") attached to
8 the Application as Exhibit "2." Pursuant to the Elder Creek Listing Agreement, L&A WC has the
9 exclusive right to sell Elder Creek through March 31, 2026 (though the Debtor intends to sell Elder
10 Creek well in advance of that date). Michael Walker will be the Licensed Agent marketing and
11 selling Elder Creek, which will be offered for sale with a listing price of \$2,600,000. L&A WC's
12 total commission will be 6.00% of the gross sale price.

13 6. The Debtor seeks to employ the Brokers pursuant to 11 U.S.C. §§ 327 and 328 and
14 to compensate the Brokers out of the proceeds of a Court-approved sales of Allen St. and Elder
15 Creek, at the close of each respective escrow. When a sale is successfully negotiated, the Debtor
16 will file a motion for authority to consummate the sale and to pay the applicable Broker's
17 commission from the proceeds in accordance with the applicable Listing Agreement.

18 7. The Brokers and Licensed Agents are disinterested, do not hold or represent any
19 interest adverse to the estate, and have no connections to the Debtor other than as set forth in the
20 Application. Certain disclosures are contained in the Application and Statements of
21 Disinterestedness accompanying the Application.

22 **PLEASE TAKE FURTHER NOTICE** that any response and request for hearing as to the
23 proposed employment must be in the form as required by Local Bankruptcy Rules 2014-1(b) and
24 9013-1(f) and (o), and filed with the Clerk of the above-entitled Court. The deadline for any
25 response and request for hearing is 14 days after the date of service of this Notice, plus an additional
26 3 days unless this Notice was served by personal delivery or posting as described in Federal Rule of
27 Civil Procedure 5(b)(2)(A)-(B). A copy of any response or request for hearing must be served on
28 counsel for the Debtor at the address indicated above. Failure to timely respond may be deemed as

1 acceptance of the proposed relief. *See* Local Bankr. R. 9013-1(h).

2 **PLEASE TAKE FURTHER NOTICE** that the complete scope and terms of the
3 employment are detailed in the Application, a copy of which can be obtained by contacting the
4 Debtor's counsel at the address and telephone number indicated on the first page of this Notice, in
5 the upper left-hand corner.

6
7 DATED: March 26, 2025

ELKINS KALT WEINTRAUB REUBEN
GARTSIDE LLP

8
9
10 By: 

11 ROYE ZUR
12 LAUREN GANS
13 Proposed Attorneys for Debtor and Debtor-in-
14 Possession Mowbray Waterman Property, LLC
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PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
10345 W. Olympic Blvd., Los Angeles, California 90064

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF DEBTOR'S APPLICATION TO EMPLOY LEE & ASSOCIATES WALNUT CREEK COMMERCIAL REAL ESTATE SERVICES, INC., AND LEE & ASSOCIATES COMMERCIAL REAL ESTATE SERVICES, INC. – RIVERSIDE AS REAL ESTATE BROKERS** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) March 26, 2025, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) March 26, 2025, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) March 26, 2025, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Honorable Theodor C. Albert, Chief Judge
Ronald Reagan Federal Building and Courthouse
411 West Fourth Street, Suite 5085 / Courtroom 5B
Santa Ana, CA 92701-4593

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

March 26, 2025
Date

Lauren B. Wageman
Printed Name

/s/ Lauren B. Wageman
Signature

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

- **Kenneth J Catanzarite** kcatanzarite@catanzarite.com
- **Lauren N Gans** lgans@elkinskalt.com, TParizad@elkinskalt.com
- **Jessica L Giannetta** jessica@giannettaenrico.com, melanie@giannettaenrico.com
- **Queenie K Ng** queenie.k.ng@usdoj.gov
- **Todd C. Ringstad** becky@ringstadlaw.com, arlene@ringstadlaw.com
- **Ahren A Tiller** ahren.tiller@blc-sd.com, 4436097420@filings.docketbird.com; brett.bodie@blc-sd.com; anika@blc-sd.com; derek@blc-sd.com; kreyes@blc-sd.com; megan@blc-sd.com; nicole@blc-sd.com; danny@blc-sd.com; angie@blc-sd.com; kreyes@blc-sd.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov
- **Roye Zur** rzur@elkinskalt.com, lwageman@elkinskalt.com; 1648609420@filings.docketbird.com; rzur@ecf.courtdrive.com

2. SERVED BY UNITED STATES MAIL:

Mowbray Waterman Property, LLC 686 E. Mill St. San Bernardino, CA 92408-1610	United States Trustee (SA) 411 W Fourth St., Suite 7160 Santa Ana, CA 92701-4500	Acisire SouthWest Region 27174 Newport Rd Suite 3 Menifee, CA 92584-7384
Banderas Plumbing 26294 23rd St Highland, CA 92346-2016	Bank of the Sierra 26328 Citrus St Valencia, CA 91355-5323	Bank of the Sierra Elliott Miller PO Box 1930 Porterville, CA 93258-1930
Bank of the Sierra PO Box 1930 Porterville, CA 93258-1930	Bank of the Sierra c/o Giannetta & Enrico, LLP Attn: Jessica L. Giannetta 7522 N. Colonial Ave., Suite 100 Fresno, CA 93711-5874	California Fair Plan Property Ins 3440 Flair Drive El Monte, CA 91731-2823
County of San Bernardino Real Estate Services Department 385 N Arrowhead Avenue Third Floor San Bernardino, CA 92415-0180	Daart Engineering 4100 Garner Rd Riverside, CA 92501-1004	Franchise Tax Board Bankruptcy MS A340 PO Box 2952 Sacramento, CA 95812-2952
Fullerton Lemann Schaefer Dominick PO Box 1271 San Bernardino, CA 92402-1271	Gloria Mowbray Sep Prp Trust co Robin Mowbray 960 Sunset Hill Lane Redlands, CA 92373-6963	Hanover Insurance Group 2 Macarthur PI 200 Santa Ana, CA 92707-7703
Internal Revenue Service PO Box 7346 Philadelphia, PA 19101-7346	On Call Terminte Pest Control PO Box 7667 Redlands, CA 92375-0667	PNC Bank 901 Via Piemonte Ontario, CA 91764-6596
PNC Bank Commercial Lending Operations PO Box 747046 Pittsburg, PA 15274-7046	PNC Bank PNC Bank Commercial Asset Team 201 E Pine Street Suite 100 Orlando, FL 32801-2714	Pennington LLP One Sansome Street Suite 3500 San Francisco, CA 94104-4436
Peters Jepson Partnership Inc 24465 Via Arriba Linda Yorba Linda, CA 92887-4908	Phoenix Traffic Management Inc 686 E Mill Street Second Floor San Bernardino, CA 92408-1610	Pino Tree Service Inc 686 E Mill Street Second Floor San Bernardino, CA 92408-1610
Robin Mowbray	Ronnie D Jordan	SB Business Registration

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

960 Sunset Hill Ln Redlands, CA 92373-6963	co Cantazarite Law Corp 2331 West Lincoln Avenue Anaheim, CA 92801-5132	PO Box 1318 San Bernardino, CA 92402-1318
Sacramento County Tax PO Box 508 S Scramento, CA 95812-0508	San Bernardino Cnty Tax Collector 268 W Hospitality Ln 1St Flr San Bernardino, CA 92415-0900	Soren McAdam 2068 Orange Tree Ln Suite 100 Redlands, CA 92374-4555
The Original Mowbrays Tree Service 686 E Mill St Second Floor San Bernardino, CA 92408-1610	The Original Mowbrays Tree Service CRO Force Ten Partners LLC 271 California Ave Suite 270 Irvine, CA 92617	Torres Glass Window 738 S Waterman Av B28 San Bernardino, CA 92408-2364
Van Beurden Insurance Service Inc PO Box 67 Kingsburg, CA 93631-0067	Wells Fargo Mortgage PO Box 14411 Des Moines, IA 50306-3411	Ana Lidia Gomez c/o BLC Law Center, APC 1230 Columbia St. Suite 1100 San Diego, CA 92101-8517
Jaime Rodriguez c/o BLC Law Center 1230 Columbia St. Suite 1100 San Diego, CA 92101-8517		

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